

UNITED STATES DISTRICT COURT

SOUTHERN DISTRICT OF TEXAS

United States District Court
Southern District of Texas

ENTERED

March 14, 2016

David J. Bradley, Clerk

Aetna Life Insurance Company,

Plaintiff,

versus

Humble Surgical Hospital, LLC,

Defendant.

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Civil Action H-12-1206

Case Management Order

1. By agreement of the parties, the documents produced in Connecticut General Life Insurance Company, *et al.*, v. Humble Surgical Hospital, No. 13-3291, are part of this case.
2. By March 25, 2016, Humble Surgical Hospital, LLC, may respond to the consolidated motion for judgment of Aetna Life Insurance Company.
3. By March 25, 2016, Humble must produce:
 - A. The summary deposit detail reports and similar documents showing money going from Humble to a physician or his affiliate;
 - B. The UB-04 forms for the claims coming from the one hundred and three doctors with use agreements.
 - C. Forty randomly chosen samples of the claim notes at issue in this case.
4. By April 1, 2016, Humble may urge its counter claims filed both in this case and in the case filed in Connecticut. It must file a consolidated pleading incorporating those current claims that it wishes to pursue. (135)

5. Aetna's motion for judgment and motion to compel fee-splitting contracts are denied as moot. (112, 144).
6. Humble's motions for partial summary judgment and to dismiss are denied without prejudice. (205, 208, 234)
7. The order on protection has not been stayed. Humble requested a stay of the order to petition for a writ of mandamus because the order would allow Aetna's counsel to reveal information protected by the law. The court clarified that the order did not bar either party from redacting information protected by the law. In the nearly three months since the order, Humble has not petitioned for a writ. Despite Humble's assertion that the petition was almost drafted, the order subsists. (257)

Signed on March 11, 2016, at Houston, Texas.

A handwritten signature in black ink, appearing to read 'L. Hughes', is written over a horizontal line.

Lynn N. Hughes
United States District Judge